

SN 10/074,974

4

REMARKS

Reconsideration of the above-referenced patent application is respectfully requested in view of the foregoing amendments and remarks set forth herein.

Claim 16a) has been amended to recite "at least about ½ % of an ~~a non-aqueous solvent~~ extract of olive leaves obtained by steps comprising treatment of the olive leaves to inactivate enzymes, followed by extraction with a non-aqueous organic solvent, and purification and concentration steps" as discussed with the Examiner. This terminology is particularly supported by the terminology of claims 16 and 18 as filed, and by page 5, lines 21-26 and page 6, line 26 to page 7, line 11. Claim 18 has been amended to make the terminology more consistent with that of claim 16 as amended herein.

In the Office Action of August 26, 2003, the Examiner took the following actions to which Applicant herein makes response: rejected claims 16, 19, 21, 23, 24, 25 and 26 under 35 U.S.C. 112, first paragraph, specifically regarding the terminology of independent claim 16a) and the Examiner's conclusion that the claim terminology was not supported by the application as filed. As discussed with the Examiner, Applicant has amended claim 16a) to more closely correspond to the specification, and therefore submits that claim 16 and the dependent claims now pending herein are patentable under Section 112, first paragraph. These rejections are traversed in application to the claims as amended, and consideration is requested of the patentability of claims 16, 18-21 and 23-26 now pending in the application.

Conclusion

For all the foregoing reasons, claims 16, 18-21, and 23-26 pending herein are submitted to be in allowable condition. Favorable consideration is therefore requested.

No new claims have been added to the previously pending claims. It is therefore believed that no fee is required for the presentation of this amendment. Any amounts that may be due for presentation of this amendment should be charged to Deposit Account No. 02-0825 of Applicant's attorney.

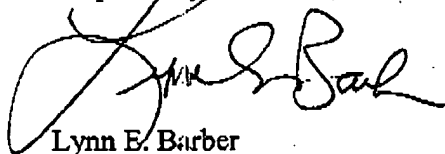
If any questions or issues remain, the resolution of which the Examiner feels would be

SN 10/074,974

5

advanced by a personal or telephonic conference with Applicant's attorney, the Examiner is invited to contact such attorney at the telephone number noted below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lynn E. Barber", is written over the typed name.

Lynn E. Barber
Attorney for Applicants
Registration No. 31,734
P.O. Box 16528
Fort Worth, TX 76162
(817) 361-7131